

### **REMARKS**

Applicants appreciate the thorough examination of the present application as evidenced by the Final Action and the allowance of Claims 1-16, 26-29, 34 and 35. However, Applicants respectfully request reconsideration of the rejections of the remaining claims for the reasons discussed below. To expedite the Examiner's reconsideration, only matters newly raised by the Final Action are discussed below. However, Applicants' previous amendment mailed on July 14, 2004 is incorporated herein by reference in its entirety so this response will fully address the issues raised in the Final Action.

#### **The Prior Art Rejections:**

Claims 17-25 and 30-33 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,625,458 to Pihl et al. ("Pihl") or over United States Patent Publication No. 2002/0168988 to Younis ("Younis"). As noted at page 2, paragraph 3 of the Final Action, the Examiner has provided Applicants with the requested identification of what in Pihl and Younis is relied on for the rejections of independent method Claim 17 and corresponding independent system Claim 30. However, Applicants submit the cited portions do not disclose or suggest receiving assistance information from two different sources in a common format.

Claim 17 recites:

A method for determining the position of a mobile terminal comprising the following performed by the mobile terminal:

- receiving location signals from satellite positioning system transmitters;
- receiving location assistance information from a wide area wireless communication network in an associated format defined by a protocol of the network;

- receiving location assistance information from a local wireless transmitter in the associated format, wherein the local wireless transmitter and the wide area wireless communication network are uncoordinated and have different associated wireless transmission protocols; and

- determining the position of the mobile terminal based on the received location signals from the satellite positioning system transmitters and location assistance information received from either the wide area wireless communication network or the local wireless transmitter.

Thus, Claim 17 recites obtaining location assistance information from a local wireless transmitter in the same format used by the wide area wireless communication network to provide location assistance information. Independent system Claim 30 includes similar recitations related to a common "associated format."

With respect to Younis, the Final Action states that the two sources are the network 12 and the local wireless transmitter 48. Office Action, p. 3. However, there is simply no grounds to allege Younis teaches receiving signals in a common format from both of these sources. To the contrary, Younis states:

The PDE 24 and the wireless device 14 are adapted to receive one or more reference signals 50 that are transmitted from one or more signal sources 48. In a preferred embodiment, the reference signals 50 are radio frequency (RF) signals. In most terrestrial regions, RF signals are ubiquitous and may include signals transmitted on the FM radio frequency band (i.e., 88 MHz to 108 MHz), the AM radio frequency band (i.e., 525 kHz to 1,700 kHz), the VHF television frequency bands (i.e., 54 MHz to 88 MHz, 174 MHz to 220 MHz) and other frequency bands. The PDE 24 and the wireless device 14 are preferably adapted to receive a subset of the available RF signals that provides substantially ubiquitous coverage throughout the wireless communications system 10 (e.g., the FM radio frequency band).

Younis, paragraph 32. Thus, Younis discloses a distinct, different communication architecture for the signals from the signal sources 48.

There is no indication that the communications from the base station 12 are anything other than standard wide area cellular network communications. For example, Younis describes operation of the base stations 12 as follows:

The present invention is an improved system and method for providing timing information to a mobile device in a position determination system. FIG. 1 illustrates a wireless communications system 10 in accordance with a preferred embodiment of the present invention. The wireless communications system 10 is a cell-based communications system including a plurality of base stations 12 and a plurality of wireless devices 14. Each base station 12 has an associated cell 16 defining a geographical coverage area serviced by the base station 12. Each wireless device 14 positioned within one of the cells 16 is adapted to communicate with the associated base station 12 by exchanging data packets according to a predetermined communications protocol, such as wideband code division multiple access (WCDMA). The wireless devices 14 may be any devices that are adapted to communicate with the base stations 12 over a wireless

communications link, including mobile telephones, personal digital assistants (PDAs), vehicle navigation systems and portable computers. A mobile switching center (MSC) 18 manages the wireless communications in the cells 16, including call set-up, routing calls between wireless devices and routing calls between wireless devices and a communications network, such as a public switched telephone network (PTSN) or the Internet. It will be appreciated that the wireless communications system 10 may include a plurality of MSCs, each managing a plurality of cells 16. In alternate embodiments, the wireless communications system may be any other communications system in which a wireless device is capable of communicating with a second device or entity across a wireless communications link, including terrestrial or satellite based cellular communications systems, a personal communication system, a specialized mobile radio system, an Advanced Mobile Phone System (AMPS), a Global System for Mobile Communications (GSM), a pager system and a wireless packet data system.

Younis, paragraph 27. Accordingly, the rejections of Claims 17 and 30 and the claims that depend therefrom based on Younis should be withdrawn for at least these reasons.

With respect to Phil, the Final Action indicates the respective sources of assistance information are a "wide area communication network 32" and a "local wireless transmitter 36." Final Action, p. 3. While the network 32 of Phil does provide such assistance information, reference numeral 36 of Phil refers to the GPS satellites 36 themselves. Phil, Col. 4, lines 52-59. The mobile terminal receives normal positioning information, not assistance information from the GPS satellites 36. Assistance information is used to facilitate acquiring the GPS satellites 36. See, e.g., Phil, Col. 1, lines 32-53. Thus, the cited features of Phil simply fail to disclose two sources of assistance information. Furthermore, there is clearly no indication that information from a GPS satellite 36 and a network 32 are received in a common format. In fact, Phil seems to discuss known communication protocols for each of these sources and those of skill in the art clearly know these would not be common formats. Accordingly, the rejections of Claims 17 and 30 and the claims that depend therefrom based on Phil should be withdrawn for at least these reasons.

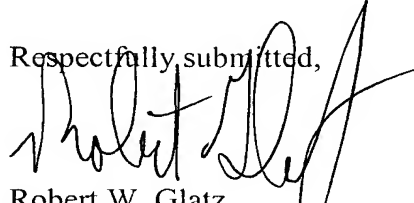
### **Conclusion**

Applicants respectfully submit that, for at least the reasons discussed above, the

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references cited in the present rejections do not disclose or suggest the present invention as claimed. Accordingly, Applicants respectfully request allowance of all the pending claims and passing this application to issue.

Respectfully submitted,

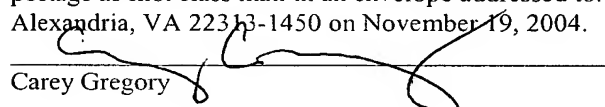


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